

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Benjamin Y.H. Liu

Conf. No. 4556

Serial No : 10/823,143

Group No. 1797

Filed : April 13, 2004

For : METHOD AND APPARATUS FOR
CASCADE IMPACTOR TESTING OF
INHALABLE DRUG THERAPIES
RECOVERY FOR CHEMICAL
ANALYSIS

Examiner : Samuel P. Siefke

Docket No.: M419-12-0044

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(c))**

**VIA ELECTRONIC FILING
JULY 31, 2008**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Interest of Person Making This Disclaimer

I, Nickolas E. Westman, represent that

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf of the assignee of this invention.
- ☒ an attorney of record for this application.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is MSP Corporation, a Minnesota Corporation having offices at 5910 Rice Creek Parkway, Suite #300, Shoreview MN 55126 . The title of the Disclaimant is Attorney of Record, and the Disclaimant is authorized to sign on behalf of Assignee.

Extent of Interest

The extent of interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as follows: .

Disclaimer

I hereby disclaim, except as provided below, the term of any patent granted on the above-identified application subsequent to

- ☒ the full term of United States Patent No. 6,453,758 as presently shortened by any terminal disclaimer,
- or
- ☐ the term of any patent granted on second application number ____ as shortened by any terminal disclaimer filed prior to the grant of the second application,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with

- ☒ United States Patent No. 6,453,758.
- ☐ any patent granted on second application number ____.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- ☒ United States Patent No. 6,453,758, as presently shortened by any terminal disclaimer, in the event that United States Patent No. 6,453,758 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any

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- ☐ any patent granted on second application number ____ as shortened by any terminal disclaimer filed prior to the grant of the second application, in the event that the second application later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as shortened by any terminal disclaimer filed prior to the grant of the second application.

By: Nickolas E. Westman/ Date: July 31, 2008

Fee Status

(37 CFR § 1.20(d))

- ☒ other than a small entity \$130.00
- ☐ small entity status of this application under 37 CFR §§ 1.9 and 1.27 is established by a verified statement \$65.00

Fee Payment

- ☒ Payment via Credit Card on the Patent Office website using

Electronic Filing System.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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